

February 3, 2009

To: Mr. Mike Murray, DFO

CHNSRA REG.-NEG. Committee

From: Don E. Morris

511 Broad Creek Loop Rd

Newport NC 28570

PH: 252-622-4407

I rise today to question the validity of the SELC assertions that the Piping Plover is endangered or threatened and deserve extraordinary protection. If the proposed extreme protection regulations utilized in the 2008 nesting season are imposed on a permanent basis they will deprive Americans of their right to use ORV's for recreation on the CHNSRA.

I have been a mobile surf fisherman since 1959 and have driven beaches from Nova Scotia to South Carolina in quest of a #50 Lb. Striped Bass. Maybe I will get lucky by attending this hearing.

In my 50 years of surf fishing I have witnessed the Piping Plover nesting and hatching little ones within 10 ft. of vehicle tracks and successfully raising their young. Just this last summer as we have done for several years, members of my fishing club, RIMS (Rhode Island Mobile Sportfisherman), in co-operation with USFWS worked to baby sit several hatches of Piping Plovers to their fledging. All the while RIMS members were still accessing favorite fishing spots. We have been co-operating with the USFWS in this endeavor for several years and have a good rapport with them. Attached are a few pictures I took this last summer during the nesting season. All of the nests shown were within 20 feet of the traveled sand trail. One of the nests shown was washed away because it was too close to the tide line. There were at least eight new chicks that successfully fledged this summer in the short 1 1/2 mile of beach where I travel to fish every morning during the summer season.

As the fall fishing season began in mid-October I witnessed flocks of 40-50 birds every morning for 10 days resting on the beach. I assume these Plovers are from the Cape Cod area where there have also been large hatches for several years. I feel they are on their way to southern wintering grounds.

I believe the decreasing number of nesting sites of the Piping Plover in CHNSRA are caused by the phenomenon of global warming which is shifting nesting areas further north every year. There are probably several Piping Plovers wintering over in the CHNSRA. These birds are adults and need no protection as the adult Piping Plover is a very plucky bird who will survive with vehicles driving on the beach front.

The biggest danger to the Piping Plover is the ever increasing development of large summer homes and condominiums where nesting areas used to be. Development is a bigger cause of the loss of habitat than a fisherman who uses the beach for a few hours and then leaves. The beaches belong to all the people and not just a privileged few. The Piping plover will always survive fishermen using the beach but they cannot survive a permanent 3 story structure or a row of condominiums where they used to nest.

CHNSRA belongs to all of the people of the US and should be available for their enjoyment. The Park service is the steward of that precious resource. To this end the Park Service should institute a permitting process that includes user fees, required education of permittees, inspections to assure properly equipped vehicles, and sensible rules to protect wildlife. Responsible fishing organizations and their members have always worked with the Park Service to protect the wildlife resources of CHNSRA. With sensible rules this mutual co-operation between The Park Service, fishing organizations, USF@W, Birders, and the general public will assure continued use for our grandchildren and the Piping Plover too.

Don E. Morris

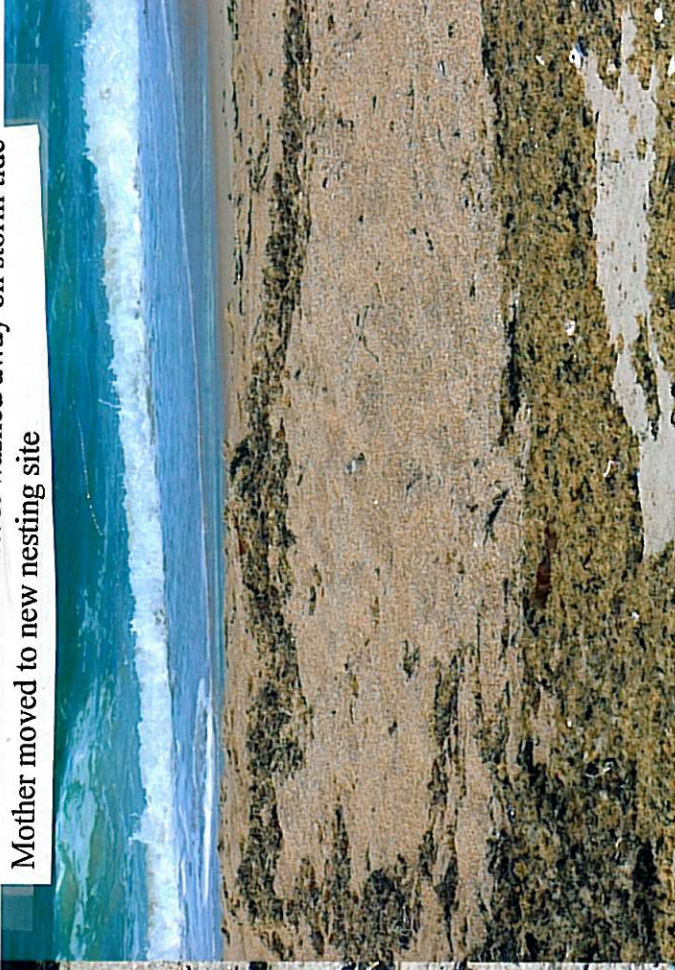




This nest survived washover. 2 chicks hatched and fledged



This nest close to tide line. It washed away on storm tide  
Mother moved to new nesting site



Chick under mother. Note post delineating sand trail  
At top of photo



Nest 6 feet from sand trail. Note yellow rope barrier  
4 eggs hatched and chicks fledged